

Attorney Docket No. : LUKP:115US
Appl. No. 10/711,225
Amdt. dated June 22, 2005
Reply to Office Action of February 23, 2005

Amendments to the Drawings:

The attached sheets of drawings include changes to Figures 1 and 2, and the addition of Figures 3 and 4. The sheet, which includes Figure 1, replaces the original sheet including Figure 1. The sheet, which includes Figure 2, replaces the original sheet including Figure 2. Lastly, the sheets, which include Figures 3 and 4, are submitted as new sheets. In Figure 1, previously omitted elements iA, iB, E, E1, E2, O, O1 and O2 have been added. In Figure 2, Strategy 1 and Strategy 2 of original Figure 2 have been more clearly depicted and the previously omitted simultaneous method has been added. New Figure 3 includes the method of zero point correction for a traveling vehicle. New Figure 4 includes the method of zero point correction for a stationary vehicle.

Attachment: Replacement sheets
New sheets
Annotated Sheets Showing Changes

Attorney Docket No. : LUKP:115US
Appl. No. 10/711,225
Amdt. dated June 22, 2005
Reply to Office Action of February 23, 2005

Remarks

Priority Document

Enclosed herewith please find a certified copy of German Patent Application No. 102 09 917.0, filed March 7, 2002. This document is provided as required under 35 U.S.C. § 119(b), and is the basis of Applicant's claim for foreign priority.

Amendments to the Specification

In the specification, paragraphs [0018] and [0023] have been amended to correct a minor informality regarding units expressing torque. Paragraph [0020] has been amended to include reference to new Figures 3 and 4. Paragraphs [0024] and [0025] have been amended according to the Figure 1 amendments. Paragraph [0028] has been amended to include reference to new Figure 3, while Paragraph [0029] has been amended to include reference to new Figure 4. Pursuant to Examiner Lorence's request, Paragraph [0033.1] has been added to discuss the various steps depicted in replacement Figure 2. Support for this new paragraph is found in paragraph [0033] and original Figure 2. These amendments do not introduce any prohibited new matter.

Amendments to the Drawings

In amended Figure 1, previously omitted elements iA, iB, E, E1, E2, O, O1 and O2 have been added. Support for this revision is found in amended Paragraph [0024]. Pursuant to Examiner Lorence's request, Figure 2 was clarified by separating Strategy 1 and Strategy 2, thus clearly indicating the various methods of sensing point adaptation. Additionally, the previously omitted simultaneous method has been added to Figure 2. Therefore, Applicants respectfully submit that Figure 2 provides a diagrammatic representation of Claims 13-16. Support for replacement Figure 2 is found in Paragraph [0033] and new Paragraph [0033.1]. Again, pursuant

Attorney Docket No. : LUKP:115US
Appl. No. 10/711,225
Amdt. dated June 22, 2005
Reply to Office Action of February 23, 2005

to Examiner Lorence's request, Figures 3 and 4 have been added to show every feature of the invention specified in the Claims. More specifically, the Examiner requested Figures directed at the Claims wherein a zero point correction is performed on a vehicle that is either stationary or traveling. Hence, Applicants respectfully submit that Figures 3 and 4 provide a diagrammatic representation of Claims 2-12. Support for new Figures 3 and 4 is found in Paragraphs [0028] and [0029], respectively. Thus, as the amendments to the drawings are fully supported by the specification and Claims as originally filed, this amendment introduces no prohibited new matter.

The Rejection of Claims 1-17 Under 35 U.S.C. § 103(a)

Claims 1-17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 6,276,504 (*Tscheplak et al.*) in view of United States Patent No. 5,065,849 (*Kono et al.*). Applicants respectfully traverse this rejection and requests reconsideration for the following reasons.

Regarding Claims 1-8, Examiner Lorence indicated that the teachings of *Tscheplak et al.* do not include a zero point correction of the clutch actuating mechanisms. In fact, in this instance, the structure of *Tscheplak et al.*'s invention eliminates the need for a zero point correction. *Tscheplak et al.* include at least two diaphragm springs in series, which provide a comparatively large spring travel with a constant spring force, irrespective of clutch wear. (Col. 2, Ln. 6-8). Hence, as the clutch wears, the diaphragm springs maintain a constant force on the clutch, eliminating the need to perform a zero point correction. As no zero point correction is utilized in the operation of the *Tscheplak et al.* twin clutch gearbox, there is no motivation to include a zero point correction. It therefore follows that a person having ordinary skill in the art to which the invention pertains would not combine the twin clutch gearbox of *Tscheplak et al.* with the method for correcting clutch control of *Kono et al.*.

Attorney Docket No. : LUKP:115US
Appl. No. 10/711,225
Amdt. dated June 22, 2005
Reply to Office Action of February 23, 2005

As explained above, there is no motivation to combine *Tscheplak et al.* with *Kono et al.* to introduce the substitution suggested by this ground of rejection. Therefore, it follows that amended Claims 1-8 are non-obvious in view of *Tscheplak et al.* and *Kono et al.*.

Multiple dependent Claim 9 contains all the limitations established in newly amended independent Claims 1-8, due to its dependency therefrom; multiple dependent Claim 10 contains all the limitations established in newly amended independent Claims 2 and 3, due to its dependency therefrom; multiple dependent Claims 11, 15 and 16 contain all the limitations established in newly amended independent Claims 4-8, due to their dependency therefrom; multiple dependent Claim 12 contains all the limitations established in newly amended independent Claims 4, 6 and 8, due to its dependency therefrom; dependent Claim 13 contains all the limitations established in newly amended independent Claim 8, due to its dependency therefrom; multiple dependent Claim 14 contains all the limitations established in newly amended independent Claims 5 and 6, due to its dependency therefrom; and, dependent Claim 17 contains all the limitations established in newly amended independent Claim 1, due to its dependency therefrom. Therefore, Claims 9-17 are also non-obvious in view of *Tscheplak et al.* and *Kono et al.*, due to their dependency from Claims 1-8.

Withdrawal of the rejection of Claims 1-17 for reasons of obviousness is courteously requested.

Attorney Docket No. : LUKP:115US
Appl. No. 10/711,225
Amdt. dated June 22, 2005
Reply to Office Action of February 23, 2005

Conclusion

For all the reasons outlined above, Applicants respectfully submit that the amended claims are patentable over the cited references and in condition for allowance, which action is courteously requested.

Respectfully submitted,



Howard M. Ellis, Esq.
Registration No. 25,856
CUSTOMER NO. 24041
Simpson & Simpson, PLLC
5555 Main Street
Williamsville, NY 14221-5406
Telephone No. 716-626-1564
Facsimile No. 716-626-0366

HME/RCA
Dated: June 22, 2005

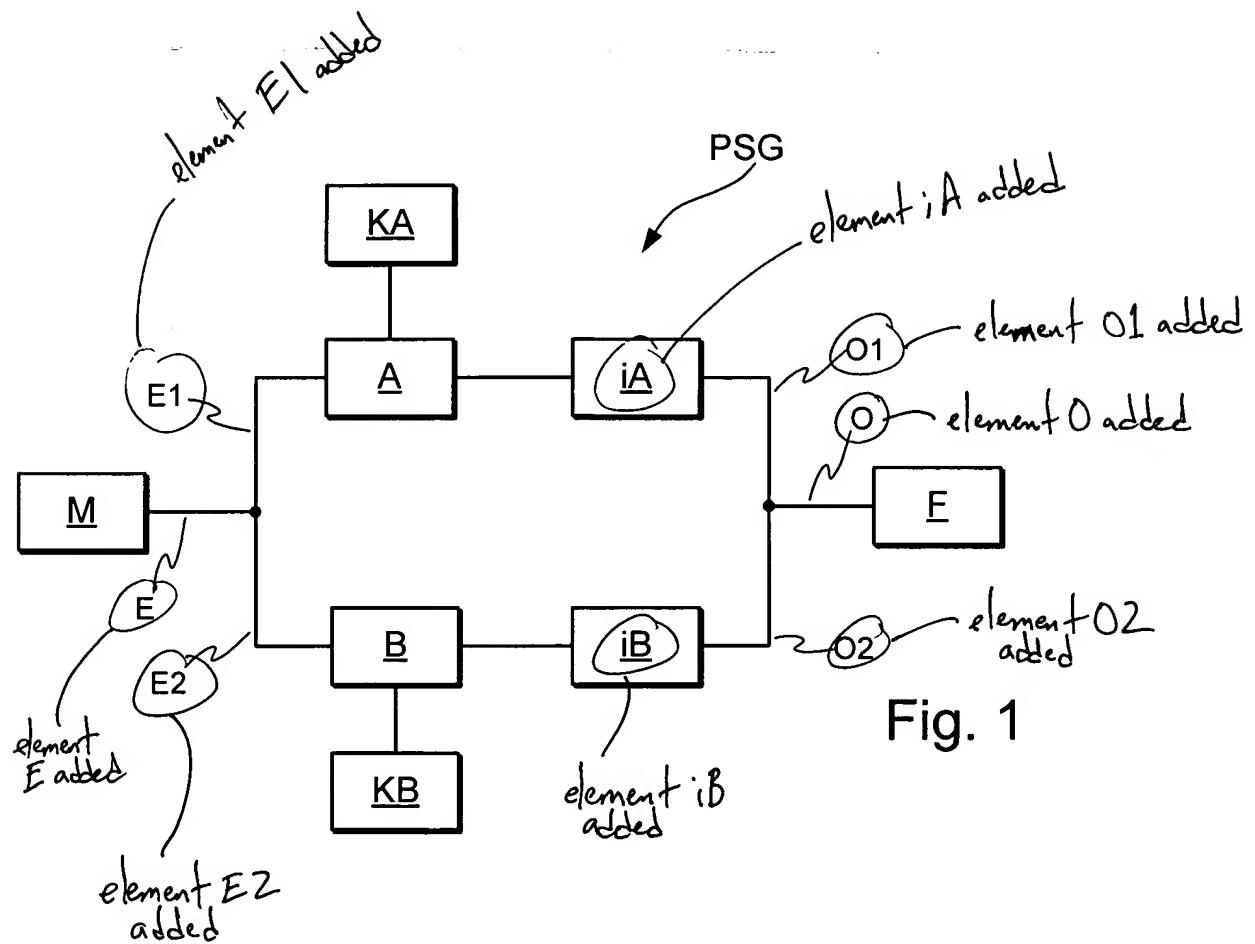


Fig. 1